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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

JOHN W. SIGLER,

Plaintiff,

v.

JORGE GONZALEZ, USAA
CASUALTY INSURANCE
COMPANY, INTERINSURANCE
EXCHANGE OF AUTOMOBILE
CLUB, IMPERIAL BODY SHOP, INC.,
PABLO GALVEZ, GREG TAYLOR,
MELISSA ORDELL, DANELLE
BUSHNELL, AMBER PETERSON (aka
AMBER PETERSON FORREST, aka
AMBER J. SCHNEIDER), KEVIN
KARAPOGOSIAN, JAMES SYRING,
RANDY TERMEER, JOHN BOYLE
and DOES 1 to 99, inclusive,

Defendants.

Case No. 8:22-cv-02325-CJC-JDEx

(Honorable Cormac J. Carney)

**SUPPLEMENTAL DECLARATION
OF VIVIAN I. ORLANDO IN
SUPPORT OF DEFENDANT USAA
CASUALTY INSURANCE
COMPANY'S REPLY IN SUPPORT
OF MOTION FOR JUDGMENT ON
THE PLEADINGS ON
PLAINTIFF'S FIRST AMENDED
COMPLAINT, OR IN THE
ALTERNATIVE, MOTION TO
COMPEL APPRAISAL**

[Filed Concurrently with Reply Brief]

Hearing:

Date: February 26, 2024

Time: 1:30 p.m.

Courtroom: 9 B

Discovery C/O: April 22, 2024

Motion C/O: June 17, 2024

Trial Date: August 27, 2024

Am. Comp. Filed: October 9, 2023

DECLARATION OF VIVIAN I. ORLANDO

I, VIVIAN I. ORLANDO, hereby declare as follows:

1. I am an attorney licensed to practice in all the courts in the State of California and a partner at Maynard Nexsen LLP, attorneys for Defendant USAA Casualty Insurance Company (“USAA CIC”). I am one of the attorneys with primary responsibility for the handling of this matter. I have personal knowledge of the facts declared herein and if called upon to testify can and will testify competently thereto.

2. Plaintiff John W. Sigler’s (“Plaintiff”) First Amended Complaint (“FAC”) references a USAA CIC claim note dated March 20, 2020 and Plaintiff’s Opposition relies upon this note, arguing therein that it evidences an agreement between USAA CIC and Defendant the Interinsurance Exchange of the Automobile Club (the “Exchange”) to match valuations. On its face, this claim note reflects no such agreement between USAA CIC and the Exchange, and Plaintiff’s citations in his FAC do not support a different conclusion. (*E.g.*, FAC, ¶ 49.) A true and correct copy of this claim note, which was produced by USAA CIC in discovery in this action at USAA-SIGLER_000084-000085 and upon which Plaintiff relies, is attached hereto as **Exhibit 6**.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed this 12th day of February, 2024, at Los Angeles, California.

By: /s/ Vivian I. Orlando
VIVIAN I. ORLANDO

EXHIBIT 6

12/9/22, 8:14 AM

Integrated View - SIGLER, JOHN W # 3737616 L/R#:7 DOL:02/28/2020

All u/s

No f/a

Obc to AAA

S/W Amber

No answer

Left v/m

Provided claim/adj info

Requested to know if AC has evaluated IV

No f/a

Pending: FPI/UR, SETTLE IV TL, MOVE IV, TL DISPUTE

Available Actions

[Claims Documentation](#)

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 DOCS

March 19, 2020 at 12:22 p.m. [P2582](#) - Danelle Bushnell Documentation Number 65

CT

FH review

IV is still at DRP, has not been released

Obc to Imperial Body Shop

S/W Nora

Requested to know if IV has storage fees

DRP adv they will have to call back with info

Provided claim/adj info

No f/a

 DOCS

March 19, 2020 at 3:37 p.m. [G3316](#) - Julie Miller Documentation Number 66

CT

ibc from AAA, the ID called AAA and wanted them to make an offer to him for the ttl of the iv. the DRP the iv is at is also a soc for AAA.

 DOCS

March 20, 2020 at 10:47 a.m. [P2582](#) - Danelle Bushnell Documentation Number 67

CT

Obc to Imperial Body Shop

S/W Nora

DRP adv that they are not charging storage fees

DRP adv they NI needs to decide what he is going to do in the next week so they can get IV moved

Obc to AAA

S/W Amber

AC adv they have the estimator writing an estimate on the IV

AC adv that they will move forward with repairs or TL for the IV

AC adv they the NI is creating a delay and they will not pay LOU for this whole time

Provided AC with a timeline when claim was started, when IV was moved to

12/9/22, 8:14 AM

Integrated View - SIGLER, JOHN W # 3737616 L/R#:7 DOL:02/28/2020

the DRP and when IV was determined to be a TL
AC adv they use the same valuation system and software and will have a similar value from IV
AC adv they will move forward with handing the claim
All u/s
No f/a



JOHN SIGLER March 20, 2020 at 1:29 p.m. CT [View Conversation](#)

Dear Danelle, USAA did not misled me; USAA committed fraud. No reasonable person ever believe that your appraiser could not see that my vehicle had an electric sunroof. It is also not a simple case that he missed it; because he was clearly aware of sunroofs on these vehicles since he applied a negative adjustment on his Comp #2 vehicle because it had a sunroof. This was fraud and by your own actions, you have admitted to it. You have had four days to review my claim of fraud and comeback with some excuse like "our appraiser did not see the sunroof on the vehicle". Instead, you have persisted with standing by your flawed appraisal which the physical facts show is clearly fraudulent. As for as your request for VIN numbers, if you bothered to read my valuation, my valuation was based upon your appraiser's Comp #3, which you already have the VIN number for. The comps at Truecar.com that I sent you were only to show you how dishonest your appraisal was. Since you won't do just a little bit of work and go to the truecar.com website (which your appraiser selected) to get the VIN number of the comps I sent you, I have updated the image from truecar.com's website (truecar.jpg) to include the VIN numbers. I am also including receipts for the additional items in my valuation and an updated valuation in my USAA-response001.pdf

Available Actions

- [Claims Documentation](#)
- [Start New Conversation](#)
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- [Clear Page](#)



[USAA_Resp...PDF](#)
(3.01 MB)



[BrakeRece...PDF](#)
(1.63 MB)



[BrakeJob.PDF](#)
(166.34 KB)



[CarCover....PDF](#)
(160.97 KB)



[ColorCali...PDF](#)
(627.89 KB)



[snowchain...PDF](#)
(45.7 KB)



[TrueCAR.PDF](#)
(145.21 KB)



March 20, 2020 at 2:58 p.m. [P2582](#) - Danelle Bushnell Documentation Number 68

CT

Review Post work item completed.
Work Item was created on 03/20/2020 01:29 PM CDT



Danelle Bushnell March 20, 2020 at 3:02 p.m. CT [View Conversation](#)

Thank you for the additional information. We will update the valuation. Please allow 2-3 business days for it to be completed. We have also been in contact with AAA. They have advised there are also evaluating the vehicle. Please let us know if you proceed with the handling of the claim with them. Thank you for trusting USAA.



March 23, 2020 at 2:59 p.m. [P2582](#) - Danelle Bushnell Documentation Number 69

CT

Received invoiced from NI to updated CCC evaluation

Obc to CCC

CERTIFICATE OF SERVICE

John W. Sigler v. Jorge Gonzalez, USAA Casualty Insurance Company, et al.
Case No. 8:22-cv-02325-CJC-JDEx

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am a citizen of the United States and employed in Los Angeles, California, at the office of a member of the bar of this Court at whose direction this service was made. I am over the age of 18 and not a party to the within actions; my business address is 10100 Santa Monica Blvd., Ste. 550, Los Angeles, CA 90067.

On **February 12, 2024**, I served the document(s) entitled, SUPPLEMENTAL DECLARATION OF VIVIAN I. ORLANDO IN SUPPORT OF DEFENDANT USAA CASUALTY INSURANCE COMPANY'S REPLY IN SUPPORT OF MOTION FOR JUDGMENT ON THE PLEADINGS ON PLAINTIFF'S FIRST AMENDED COMPLAINT, OR IN THE ALTERNATIVE, MOTION TO COMPEL APPRAISAL on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope(s) addressed as stated below:

☒ **(BY MAIL):** I deposited such envelope in the mail at Los Angeles, California with postage fully prepaid. I am readily familiar with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be placed for collection and mailing, and deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

☒ **(BY ELECTRONIC MAIL):** By transmitting a true copy thereof to the electronic mail addresses as indicated below.

and telephone number as stated.

☒ **(BY CM/ECF SERVICE):** I caused such document(s) to be delivered electronically via CM/ECF as noted herein.

I declare under penalty of perjury under the laws of the United States that the above is true and correct and was executed on **February 12, 2024**, at Los Angeles, California.

Leanna Borys

Leanna Borys

SERVICE LIST

John W. Sigler v. Jorge Gonzalez, USAA Casualty Insurance Company, et al.
Case No. 8:22-cv-02325-CJC-JDEx

VIA EMAIL AND MAIL

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